

One Hundred Ninth Congress  
of the  
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,  
the third day of January, two thousand and six*

An Act

To treat payments by charitable organizations with respect to certain firefighters  
as exempt payments.

*Be it enacted by the Senate and House of Representatives of  
the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Fallen Firefighters Assistance  
Tax Clarification Act of 2006”.

**SEC. 2. PAYMENTS BY CHARITABLE ORGANIZATIONS WITH RESPECT  
TO CERTAIN FIREFIGHTERS TREATED AS EXEMPT PAY-  
MENTS.**

(a) IN GENERAL.—For purposes of the Internal Revenue Code  
of 1986, payments made on behalf of any firefighter who died  
as the result of the October 2006 Esperanza Incident fire in  
southern California to any family member of such firefighter by  
an organization described in paragraph (1) or (2) of section 509(a)  
of such Code shall be treated as related to the purpose or function  
constituting the basis for such organization’s exemption under sec-  
tion 501 of such Code if such payments are made in good faith  
using a reasonable and objective formula which is consistently  
applied.

(b) APPLICATION.—Subsection (a) shall apply only to payments  
made on or after October 26, 2006, and before June 1, 2007.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*